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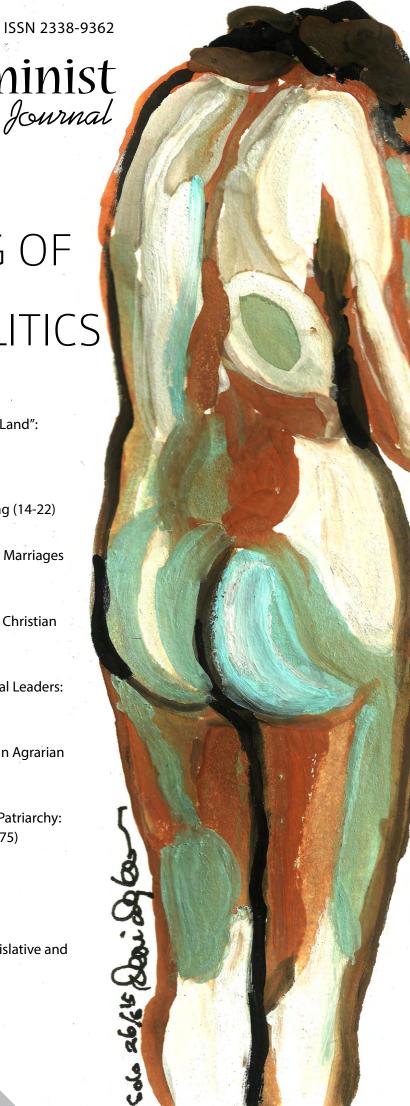
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Culture, Sex and Religion:

A Review of Temporary Marriages in Cisarua and Jakarta

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Abstract

This research is about temporary marriage in the areas of Cisarua and Jakarta. The Islamic discourse in the Arabic culture views temporary marriage as positive to avoid promiscuity (zina). This research indicates that the practice of temporary marriage is manipulation of religion and degradation of Indonesian women. The dominance of Arabic culture in Cisarua influenced the subjectivity and sexuality of women in Indonesia. Respect for the identity of Indonesian women has faded because Indonesian cultural values are not upheld, overpowered by Arabic-patriarchal culture and the fact that poverty is still an issue. Temporary marriage is basically prostitution legalized under the pretext of religion. Temporary marriage and siri marriage cannot be distinguished because both exploit the female body.

Keywords: Culture, religion, sex, temporary marriage.

Introduction

In a 2006 trade symposium called 'Tourism Marketing Strategies in Middle East', Jusuf Kalla (then-Vice President of Indonesia) joked that: "The divorcees at Puncak is a problem unto itself. Therefore Arabic men looking to get acquainted with the divorcees at Puncak region will help fix the problem by raising a better future generation. If the women get modest homes even if the tourists later leave them, then it's okay. The children resulting from these relationships will have good genes. There will be more television actors and actresses from these pretty boys and girls." (Jakarta Post, 29th June 2006). Jusuf Kalla's quote quickly became a domestic and international sensation, drawing strong reactions from many different

women's rights activists. It seemed that Mr. Kalla had enlightened us with an easy solution to the poverty problem - by 'selling' Indonesian women to Middle Eastern men. Similarly in 1990, then-President of Iran, Hashimi Rafsanjani commented:

If we had a healthy society (i.e. truly Islamic) then the situation of all these widows (i.e. the women widowed in the Iran-Iraq war) would be very different. Then when they (widows) felt the sexual need, they could approach and invite him to marry them temporarily, izdivaj-I muvaqqat. This they could do without fear of being shamed or ostracized by others. (Adapted from Zani-i Ruz No,1294, 1990:55 by Haeri).

The difference between Rafsanjani and Kalla

was that his argument delved deeper into the need of a solution for the problem of natural sex drive. Even though he proposed for temporary marriages as a solution for young adults who fight a losing battle against natural sex drive, Rafsanjani added:

Nowadays, in our (modern) society, young people mature at the age of 15, and sexual needs are awakened in them... Our college students are constantly exposed to the opposite sex in the schools, universities, parks, buses, bazars and the work place. They are continuously stimulated (by proximity with each other), but have no recourse. Who says this is right? Presently, in our society for our youth to remain pure and honorable, and to respect the societal norms (of chastity and virginity) implies remaining unsatisfied until they are 25 or 30 years old. They will have to deprive themselves of their natural desires. Deprivation is harmful. Who says this (deprivation) is correct? Well, God didn't say that this need should not be satisfied. The Prophet didn't say so. The Quran doesn't say so. The whole world doesn't say so either. Besides, if one is deprived, then harmful psychological and physical consequences will follow. Science has proven this. To fight nature is wrong. (adapted from Zani-i Ruz No,1294, 1990:55 by Haeri).

The debate launched by Rafsanjani contained a cultural debate about living a modern life. On one hand, Islam holds a traditionalist view with regards to sex, placing high esteem on virginity, but on the other the tradition of temporary marriages or nikah mu'tah have long been accepted in Islam especially amongst Shi'ite Muslims. Majelis Ulama Indonesia (MUI or the Indonesian Ulema Council) forbid the practice of nikah mu'tah by releasing a fatwa in 1997 pronouncing the practice as haram. The logic adapted by MUI was an Al Qur'an verse; "And they who guard their private parts except from their wives or those their right hands possess, for indeed, they will not be blamed." This verse was interpreted by MUI to endorse sexual relations as an exclusive right between husband and wife. Meanwhile, women who are wed from nikah mu'tah are perceived as brides for temporary pleasure. However, MUI reversed its decision through a fatwa issued in 2006 to allow for Siri marriages - i.e. marriages performed in secret to curb likelihood of religiously forbidden

extramarital adultery, thus fostering household cohesion for casual observers.

In Indonesia, nikah mu'tah and Siri marriages can be found in Cisarua area in Bogor, West Java, and Jakarta. The question the authors asked in their research was whether the practices of nikah mu'tah and Siri marriages differ in reality. It had been found that both marriage practices in Cisarua and Jakarta were conducted as expressions of sexual desire under the guise of religious practice. The authors' research showed that the practice of religion-sanctioned sexual relations were in fact unjust prostitution against women. Who were then the main stakeholders in the prostitution activities found in Cisarua? Why were these practices exempt from public review unlike other prostitution activities? How big were the profit gained by the district government and local communities from these practices? This essay is aimed to expose the problem of sex, religion and politics about the female body.

Poverty and Child Brides

Mariah (not a real name) is a sexy 23 year-old woman, dressed in red and a bright red lipstick adorned with jewellery that altogether seemed mature beyond her age. She was articulate and well spoken, appearing intelligent even though she had only finished primary level education in a pesantren. She smoked shisha non-stop, her favourite pastime whilst waiting for Arabic men at a cafe in Cikini. It seemed every guest who visited the cafe knew her and Mariah greeted them back with a smile and fluent Arabic.

Behind the smile lies a harrowing personal story. Mariah was married off by her parents to an Arabic man when she was 13 years old and lived in Saudi Arabia for the next 6 years. She did not like living in Saudi Arabia because she had to accompany her husband as part of her daily routine and was rarely allowed to go out alone. Every aspect of her life was controlled including how she dressed herself. When she was 19, she told herself that 6 years living in Saudi Arabia was enough and decided to return home to Indonesia. After working various jobs, she chose to be a 'guide' for Middle Eastern tourists rather than earning Rp. 1,3 million (USD

130) per month working at a factory. She said, "Rp. 1,3 million for 9pm to 2am [approximately] 5 hours [of service]. If long time (sic) from 9pm to 6am, [I would get paid] approximately Rp. 2 million", clearly a salary well beyond the earnings of a factory worker.

Mariah witnessed other underage children who were wed by their own parents. She recalled one of her own Middle Eastern guests had brought along with him a 15-year old wife.

I opened the door, greeted them and saw what was happening. He told me Amira is his new wife from Puncak. I said to him: Masya-Allah, how old is your wife? 15 he answered, he then added: I was the one who opened (sic) her [virginity]. I told him that it was haram. He said: there is nothing that was haram with Amira, I paid for everything therefore it wasn't haram. Well there you have it, [Amira's] parents sold her, in fact it was her own mother who delivered her. (Interview, 23rd January, 2015).

Mariah confided that Arabic men marrying an underage child is a common practice. She confidently cited that 90% of temporary marriages were carried out with child brides. Economic reasons were the biggest influencing factor as stifling poverty led hapless parents to deliver their daughters onto the laps of Arabic men, many of whom were over 40 years old. Sometimes the parents genuinely intended for their children to live a better life, especially so because when the husband-to-be happen to be Muslims. But it is not uncommon for women who were wed, either through nikah mu'tah or Siri marriage, to suffer from domestic violence.

Some men derive satisfaction after (sic) beating their wives, y'know. He would pay any amount and the woman would have no choice. They are usually hit or slapped. These women don't mind because they do it to put their own children through school (Interview, 23rd January, 2015).

Other commonly found forms of violence are sexual practices beyond the woman's physical limit, in some cases this woman would be engaged in sexual intercourse up to seven times in a night. For the man, there is no reason for the bride to refuse his requests because he had paid for the woman to engage in sexual intercourse with him.

Anita, a local woodwork storekeeper and a formerforeign domestic worker, told the authors that Indonesian women can be bought at a cheap price and thus were taken for granted by Middle Eastern men. She was not tempted by the relatively large salary as a 'guide', preferring instead to work as a storekeeper earning Rp. 50,000 (US \$5) per day. There were still plenty of men who offered her a temporary marriage, some of these men she met on the street, otherwise they would visit her shop directly because they thought every Indonesian woman is willing to commit to a temporary marriage. "They think Indonesian women are easily bought," said Anita with frustration. She regretted the widespread practice of temporary marriages in Cisarua region because she empathised with the children born from these marriages. Poverty was one of the primary reasons. Adi, who spent nine years working as a driver for Middle Eastern tourists, added:

These women usually come from Cirebon, Cianjur, Indramayu and Sukabumi. They are usually ex-foreign domestic workers and speak fluent Arabic. They enter a temporary marriage because of economic reasons. Usually they were domestic workers in Middle Eastern countries. They are poor but because they are fluent in Arabic, they can do it (interview 9th January,

The temptation of the income derived from temporary marriages attracts middle class, educated women, even though they are not as numerous as those of the lower socio-economic class (see interview from kapanlagi.com about Sarah, 5th December, 2012). Middle Eastern men who visit Cisarua for temporary marriage purposes come from lower-middle socioeconomic class.

The men who go through a temporary marriage ceremony usually come from lower-middle socioeconomic class in their home countries. They saved up money specifically intended to visit Indonesia. It usually takes them 2 years, working as teachers, policemen and even shepherds (Interview with Adi, 9th of January, 2015).

Manipulating Temporary and Siri Marriages

Some of the following interviewees have used the terms temporary marriages and siri marriages interchangeably. They highlighted widespread vernacular adoption of the term temporary marriage began ten years ago in Cisarua. Recently, some Islamic scholars and the MUI have condemned the usage of the term as haram and suggested to use siri marriage instead. The difference between the two can be found in the underlying intention when marrying a woman. A temporary marriage is bound by a time limit (even though this was not explicitly specified during the marriage ceremony) whilst a siri marriage were seen as an open-ended process whereby the woman is intended to be taken as a wife indefinitely. The authors opined both terms are not different in practice because both ceremonies are carried out in secret. Witnesses for temporary and siri marriages are usually drivers in Puncak region. The authors have noted personal accounts from three drivers how a temporary and siri marriage can be manipulated. Sanusi (not his real name) described:

In fact almost all weddings with Middle Eastern men are big shams. This is how it's done: a girl may be offered to the visiting men. When the man decided to go ahead with the deal, he will call the driver and in turn the driver will contact the pimp who will then arranges for actors to come along as parents and siblings of the girl. There may also be other children acting as the girl's child. It's all one big show to make sure these men believe their story. So that the girls are seen they belong to a 'real' family (interview on 20th January, 2015).

Sanusi elaborated about how the dowry received by the woman was divided for those who helped with the act. The marriage ceremony itself costs Rp. 20,000,000 (USD 2,000) and the woman may receive her cut ranging from Rp. 2,000,000 (USD 200) to Rp. 3,000,000 (USD 300). The money is divided between the pimp, driver, villa security and marriage celebrant (for producing a fake marriage certificate). Sanusi told how there are even 'official' marriage certificates issued by the local Religious Affairs Office. The vows were not explicitly stated in the marriage certificate itself, but were made instead in person separate from the documents.

There may be clauses on the certificate where the women were forbidden from demanding any of

rights following the end of the marriage. Official certificates issued by the Religious Affairs officials can be found for as much as Rp. 50,000,000 (USD 5,000), meanwhile certificates issued elsewhere can be found for as little as Rp. 20,000,000 (USD 2,000) (interview 20th January, 2015).

Sanusi have directly involved been in arranging a temporary marriage. He collected brides-to-be from Ciawi. The pimp accompanied the group, acting as the 'mother' of the women. Sanusi earns Rp. 200,000 (USD 20) for one collection trip. All wedding ceremonies observed strict Islamic rites by pronouncing ijab gabul (marriage vows). Meanwhile, the wedding ceremonies were presided by the local ustad or the friend of the groom-to-be who would be known as mutoa, a Middle Eastern Islamic scholar.

The investigation conducted by authors identified some of the ustad who have officiated wedding ceremonies between Indonesian women and Middle Eastern men. These ustad vehemently asserted that the wedding ceremonies they presided were siri marriages rather than temporary marriages. In a siri marriage, there is no time limit or a predetermined amount of time of which the marriage is valid, and the ceremony were conducted under strict Islamic prerequisites, i.e. a wedding between man and woman, the presence of guardians, two witnesses and ijab gabul. However, an ustad by the name of Haji Gogom discussed the realities:

There are 5 marriage prerequisites you see. It must be between a female bride and a male groom, guardians are present, along with two eyewitnesses and the fifth is ijab qabul. Now, it is true that the [siri marriage] ceremonies observed the prerequisites, but often we don't know if the guardians are legitimate and this is the issue here. On the other hand, anyone can be one of the eyewitnesses (Interview, 15th January, 2015).

Therefore, *siri* marriages can be manipulated. The scholars have launched into self-defence by proclaiming that they have wed Indonesian women to Middle Eastern men with good intentions, but they did not claim any responsibility in instances where actors were used to masquerade as the bride's parents. Haji

Gogom also likened visa marriages (a substitute for contract marriage) to that of siri marriages, which can be approved by the Saudi embassy:

The visa marriage can be a marriage that lasts for the duration of the [visitor's] visa. If their visiting time is only one week, then [the marriage] lasts for a week. If they are here for one month, then it goes for one month. Or it's possible that they are here for one month but they are satisfied after only 1 or 2 weeks. Well, there may be some association with siri marriage, because it can be endorsed by tasreh. Tasreh is an [official] document issued [by the embassy] to determine whether the men can marry Indonesian women, so that only the actual wedding process is defined as siri. Because the definition of siri is only limited to the process, which means everything is done in secret (Interview, 15th of January, 2015).

Siri marriage is a popular choice amongst ustad, and it is not uncommon for the ustad to marry in a siri wedding. They viewed these marriages as a valid religious marriage even though there is no official legal standing. One ustad by the name of Haji Assaf (not his real name) explained the meaning of a *siri* marriage:

Siri means the wedding is done in secret without the first wife's knowledge. Maybe the first wife did not permit her husband to marry again. Please divorce me first, she says. Siri marriage is allowed by the religion as long as the prerequisites and the principles are observed. There are guardians and eyewitnesses. And the husband is responsible, financially independent adult. Don't do it if he is still renting. His biggest responsibility is to look after the first wife and the children. As if he marries again when he [doesn't even have a house of his own]. He must at least be financially independent. (Interview, 15th January 2015).

Haji Assaf, a retiree from the Ministry of Religious Affairs, owns The Tsaqofah Islamiah Foundation, a madrasah school and Madrasah Ibtidaiyah (Islamic formal education level equivalent to primary school) in Taman Mini area. The schools are well established and have been certified. He has 16 children and is married to four wives (of which the eldest wife has passed away and the last wife is divorced), and even though he is above 70 years of age, there is still a possibility for him to marry again. Every one of his wives receives equal rights, he added:

My parents gave me permission. So my wife thought, well if the parents have given permission, she would also follow suit. The second reason, I own a house and a school. You can say everything is complete. (Interview, 15th January, 2015).

Haji Assaf mentioned it was important for all his wives to be civil servants so that they can be financially independent and not be dependent on him. Because of that, when choosing a wife, he would marry one of his students who is willing to teach in his madrasah and work as a civil servant. When the authors asked him about the rule forbidding polygamy amongst civil servants he mentioned that there were many polygamous men in the Ministry of Religious Affairs. His former colleagues would not stop him because he was a former civil servant in the Ministry and many of his friends have had a siri marriage themselves.

I don't want to get headaches, so every one of my wives is a teacher. If they ask for money, then I point out to them that they earn their own salaries. Therefore, I try [to provide for them]. In the Ministry, they're all my friends, you see. So I ask them to hire my wife [as a civil servant] and they do it. Everyone becomes a civil servant....no way someone would report me 'because if you do that to me, I'll report you first' (Interview, 15th January, 2015).

The authors met with other ustad, one of them was ustad Ahmad Muhidin from Cisarua, who have officiated siri marriages, of which he considered true to Islam. Ahmad himself has two wives and five children. He had wed Indonesian women with Middle Eastern as well as Indonesian men. Some of these marriages were celebrated for young adults (university students) as well as government officials. According to him, the reason for these marriages is to combat adultery (zina). He issued marriage certificates to explicitly describe the couple as wed husband and wife however these certificates were of informative nature rather than legal.

The *zina* reason is an oft-repeated argument used by the ustad as well as the Middle Eastern men who wanted to marry Indonesian women. Specific in the case of Middle Eastern men, some would bring their sons (in the early 20s) with them for a siri marriage - where both the

father and the son are wed to local women in a siri wedding process. There were even cases where the men would bring their newly-wed wives for honeymoon to Puncak, but once they arrived in Puncak the husband would meet with Indonesian women at a roadside stall and then enter a temporary marriage for a few hours.

These Middle Eastern men back in their countries, y'know, would say to their wives that I'll make you happy but when I am in Indonesia I am king because it's my money. You are a woman and you need to be quiet. Yesterday a man came and his new wife. Masya'Allah, she was so beautiful. Pity that the husband was a jerk. They went home at 6pm and called at 8pm wanting to smoke shisha. So I said ok, I'll pick him up. I brought him to the shisha cafe but he didn't want to. He wanted to go to Aljazira instead and en route did you know what he wanted? A temporary marriage. (Interview with Sanusi, 20th January, 2015).

Middle Eastern Influence

It can be said that Middle Eastern culture had taken its roots in Puncak. The cultural practice of temporary marriage has risen to prominence within ten years. Most of the local communities in Cisarua have enjoyed the benefit from the sex tourism by Middle Eastern men. Many of the local women have gained material wealth either through temporary marriage or siri marriage. They were able to fulfil personal basic living needs and earn enough to help their parents back home. The practice was not criticised because it was seen as congruent with Islamic principles. There were even women who offered a few hours worth of sexual services as a lady debab for 'married' men as long as both the man and the woman offering the service were not engaged in sexual intercourse prior to siri or temporary marriage ceremony.

The *ustad's* share had not been insignificant. Middle Eastern tourists have been generous in donations towards constructions of mosques and pesantren schools. These donations have been paid in cash directly for the ustad. Haji Gogom now works in construction having built numerous mosques, administered by the financial gains from Middle Eastern tourists. At the time of writing, there were already 40 mosques built in Banten and many more in West Java. Haji Gogom also manages pesantren from kindergarten up to junior secondary. The foundation has a capacity to receive 120 boarding students and 140 non-boarding students, with plans to expand to build a vocation school next year. The Foundation, named Nurul Yakin Foundation, was established by his father and developed under Haji Gogom's leadership. Students were provided with free education, relying on the donations from Middle Eastern donors to cover the food, boarding and education costs.

Those enjoying the benefits were not limited to only the ustad community as the Cibeurem district government received a mosque from the Middle Eastern visitors. An example of waqf (voluntary charitable endowment from personal belonging), it was built on the premise of the government building. Every aspect of the construction was organised by individuals rather than the state and the only work left to complete the construction was to wait for the local government to issue the IMB (building permit). However, the local governments have been known to issue free permits for mosques under construction financed by endowment funds from Middle Eastern tourists. The following statement was taken from E. Suryadi, Head of Government Affairs from Bogor District government:

Mushola or mosque construction would not require any further permits other than the IMB which will be freely issued by the Bogor District government when the construction has finished (Interview, 20th January, 2015).

The Chief Executive of Cibeurem District government did not deny the fact that many of the locals were involved in celebrating temporary marriages. Businesses would not have been profitable without local support despite the reputed claim of sex workers being imported from neighbouring towns.

To be honest, we wanted to eradicate the practice but opposition came strongest from our own people, villa owners and the rental car owners for example, so we had to fight with our own people too... They usually say that they are prospering and this makes us feel uneasy. For example, an ojek (motorcycle taxi) will charge a

Middle Easterner Rp. 50,000 (USD 5) meanwhile the same driver will charge Rp. 5,000 (USD 0.50) for local passengers. This makes it more difficult for us (Interview, 20th January, 2015).

There were plenty accusations from the locals against women who deceived Middle Eastern tourists. Siti, a village security guard, personally witnessed how some of the women who had been wed fled from the allotted time. She pitied deceived villa guests. Adi who had been a driver for the tourists told the following story:

I was driving for a Middle Eastern tourist and he immediately requested for jawas (Arabic for marriage) when he arrived. This was the only instance I said yes to the request even though back then I did not have any experience in finding a suitable woman for such things. I found a link (sic) from one of my acquaintances and the man finally made a deal with the pimp for the marriage contract. When the man wanted to have sex, the woman refused saying she was on her period. The next day she asked for permission to buy clothes and was given permission by the man, however the woman did not return even though the man had paid Rp. 3,000,000 (USD 300). He permitted his wife to go because he believed they had been legitimately wed observing Islamic practices, little did he know that the guardians, witnesses and the ceremony were a big farce. The man was very angry and demanded I pay for his losses. From this incident I learned not to be associated with the temporary marriage business, if a visitor had already secured a temporary wife well that's his own business. I'm only doing my own responsibilities as a driver and guide (Interview 9th January, 2015).

Arabic culture has grown to dominate Cisarua region and there is a perception that Muslims as well as the Islamic religion equate to Arabic and Middle Eastern culture. Vast majority of Muslims live outside the Arabic region even though Islam itself was born in the Middle East and uses Arabic. For example, Indonesia is the country with the largest number of Muslims as well as Bangladesh with 100 million of its citizens classifying themselves as Muslims. The number of Muslims in West Africa equalled the whole Middle Eastern region (Nigeria alone has 50 million Muslims). Why then would the aforementioned countries adopt Arabic culture? In Cisarua, Indonesian women no longer

accentuate Indonesian culture by wearing batik or kebaya, which are Indonesian national costumes, preferring instead to wear hijab or even abaya. There is also a growing number of women who, when seen together with Middle Eastern tourists, would adorn a fully covered garment including their heads and eyes. All of the signs in the area of warung Kaleng used Arabic. Visitors in the area never used Indonesian to greet others, for example with "selamat pagi", preferring to use Arabic instead. Has Arabic culture defeated the national, Indonesian culture?

Subjectivity and Sexuality

Arabic culture had become deeply entrenched within the religious experience in Indonesia thus blurring the distinction between the realms of religion and culture. The legitimacy of The Constitution are seen to be inferior to Al-Qur'an passages and the legislated laws as well as the Marriage Act were less accepted than scholarly interpretation of Al-Qur'an. Similarly in the matters regarding women's sexuality, the influence of Arabic culture, rich in polygamy and temporary marriage practices, has become the mental framework encasing local communities' perception of women's sexuality. Women's body were seen as objects of desire to satisfy lust, 'protected' by Al-Qur'an passages and socialised through culture.

Juliet Mitchell (1985) argued that there is a relational relationship in a heterosexual couple based on social rather than merely for reproductive purposes alone. In other words, sexuality is publicly regulated through social customs and practices, which are defined by deciding who can and cannot marry, and controlling the female body. For example, Arabic men expressing their masculinity by controlling a female body (through a buying process) and to 'Arabicize' the female body through Arabic traditional garments. This point of view also includes the sexual identity positioned within other forms of identities such as ethnic, religious and etc. (Imam, 2000: 126). Foucault (1986: 233) underlined the importance of seeing how a subject was perpetually constituted to habits dictated by dominant behaviour, and how power operates and subjugates its constitution.

This meant that subjectivity and sexuality were formed through daily habits, division of labour, fashion, and relationship behaviour among other things (Imam, 2000: 126).

Subjectivity and sexuality of women in Ciasrua have co-opted with Arabic culture. The history, culture and language of Indonesian women were no longer visible. Arabic men do not recognise the identity and existence of Indonesian women because the elegance of sanggul, scarf and kebaya are no longer public. Identity erasure also eroded the proud memory of being an Indonesian woman. This issue is different to tourism in Bali where the main objective is not in sex tourism but tourism that respects local culture. The richness of Balinese culture is complete with continuous maintenance of traditional costumes and language and thus honouring the body and sexuality of Balinese women out of awe and respect.

Conclusion

How does one restore the living pride of Indonesian women? The discourse of Indonesian women subjectivity should remain preserved even when it is extremely difficult to maintain

their identity and particularly their self-esteem after being trampled upon. It seemed that Indonesian women could not expect much from government figures who in fact approach the co-optation of Indonesian culture and women in a condescending manner. Therefore, to forego the abaya and highlight kebaya or other local dresses worn by Indonesian women, not Middle Eastern women, is the best way forward. Kebaya covers the entirety of Indonesian women's body and thoughts, boasting a proud history in the Indonesian women's movement. Do we not remember the inaugural Indonesian Women's Conggress on the 22nd of December 1928? When women stood united against injustices. Our 'mothers' adorned in kebaya to signify their existence as well as the identity of a plural Indonesia and it was through kebaya that the language and nationalistic pride of being Indonesian was upheld, as well as Indonesian women's sexuality. Current social changes forces a drastic paradigm shift to adapt to other cultures, impacting how one dresses and thinks, which ultimately transforms the physical body. Restriction of the body shrinks the mind and buries the holistic existence of the person altogether.

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